

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DONALD HORTON,	:	
	:	NO. 1:11-CV-00090
Plaintiff,	:	
	:	
	:	
v.	:	ORDER
	:	
	:	
COMMISSIONER OF SOCIAL	:	
SECURITY	:	
	:	
Defendant.	:	

This matter is before the Court on the Magistrate Judge's Report and Recommendation (doc. 24) and Plaintiff's objections thereto (doc. 25). In her Report and Recommendation, the Magistrate Judge recommends that the decision of the Administrative Law Judge ("ALJ") denying Plaintiff's application for disability insurance benefits be affirmed and this case be dismissed from the Court's docket.

In brief, Plaintiff filed an application for disability insurance benefits, alleging a disability onset of December 1, 1981, due to lumbar back problems, a sleeping disorder, high blood pressure, sinus problems, and diabetes. The Administrative Law Judge ("ALJ") determined that Plaintiff suffered from residuals of a lumbar strain and degenerative lumbar disc disease through his date last insured. However, the

ALJ further determined that Plaintiff was not disabled under the Social Security Act and that he had the residual functional capacity to perform medium work.

Plaintiff argued that the ALJ erred when he failed to find that Plaintiff suffered from depression and PTSD before 1986, when he failed to note the disability rating given by the Veterans Administration, and when he found the Plaintiff capable of medium work even though he has low back and leg pain and questionable radiculopathy.

As required by 29 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon thorough consideration of the foregoing, the Court finds Plaintiff's objections unpersuasive and determines that the Magistrate Judge's Report and Recommendation is thorough, well-reasoned and correct. Consequently, the Court ADOPTS and AFFIRMS it in its entirety (doc. 24). Accordingly, the decision of the Commissioner is AFFIRMED and this matter is closed from the Court's docket.

SO ORDERED.

Dated: April 18, 2013 s/S. Arthur Spiegel
S. Arthur Spiegel
United States Senior District Judge